

REMARKS

Claims 1, 4-7, and 9-24 are in the case. Claims 1, 4-6, 9, 14 and 15 have been amended herein, claim 3 has been cancelled without prejudice, and claims 16-24 have been added. Claims 2 and 8 were previously cancelled.

Applicants are filing a Request for Continued Examination herewith in order to reopen prosecution. While Applicants do not concede that the pending rejections are proper, Applicants have amended claims 1, 9 and 14 in an effort to advance prosecution.

Claims 1, 3-7 and 9-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Warby combined with Badyal. Applicants respectfully submit that the claims as now amended are clearly patentable over this combination. Warby does not disclose applying the cold plasma to the metal canister itself, nor does Warby suggest that this would be desirable. Instead, Warby focuses entirely on coating the plastic and/or rubber components of the inhaler, such as the mouthpiece and seals. See, for example, p. 6, lines 25-30, p. 7, lines 29-32, and p. 8, lines 15-30. In fact, the reason that Warby is utilizing cold plasma treatment is to avoid thermal damage to plastic parts (p. 7, lines 29-32).

Nor would Badyal have suggested to the artisan to coat a metal can, since Badyal discloses only fabrics and glass as possible substrates to be treated. Moreover, Table 5 of Badyal would have likely led the artisan *away* from utilizing the coatings taught in Badyal to treat the interior of a can for use in an inhaler. It appears from Table 5 that water repellency decreased upon solvent extraction. This decrease would likely have suggested to the artisan that the coating may be extracted into the solvent. The possibility that Badyal's coatings could extract into solvent would likely have led the artisan to question the safety of these coatings for use in coating a can in which an inhalable pharmaceutical composition containing a non-aqueous propellant (i.e., as solvent) would be stored. Metal cans used in inhalers typically contain such compositions, and thus the data in Table 5 would have taught away from coating a metal can for an inhaler with the coatings described by Badyal.

In view of the above, Applicants respectfully submit that all claims are in condition for allowance.

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Respectfully submitted,

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